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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,582	07/07/2003	Richard A. Darrell	020375-040200	8946
20350	7590	08/31/2005	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			SUBRAMANIAN, NARAYANSWAMY	
			ART UNIT	PAPER NUMBER
			3624	

DATE MAILED: 08/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/615,582

Applicant(s)

DARRELL, RICHARD A.

Examiner

Narayanswamy Subramanian

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-15,17,18 and 20-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-15, 17, 18 and 20-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is in response to applicants' communication filed on March 21, 2005. Amendments to claims 1, 5, 7-9, 11, 17 and 18, cancellation of claims 6, 16 and 19 and addition of new claims 21-23 have been entered. Claims 1-5, 7-15, 17, 18 and 20-23 are pending in the application and have been examined. Rejections made under 35 USC 112, second paragraph in the last office action is withdrawn in view of the amendments. The rejections and response to arguments are stated below.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter that the applicant regards as his invention.

3. Claims 20 recites the limitation "The system according to claim 19". Claim 19 is a canceled claim. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5, 7-15, 17, 18 and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Houvener et al (US Patent 6,397,194 B1) in view of Schultz et al (US Pub. No. 2001/0029470 A1).

With reference to claims 1, 11 and 18, Houvener discloses a method and system of presenting an image of a receipt to a consumer, the method comprising: electronically

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capturing a receipt (See Houvener Column 1 lines 15-25); storing the receipt at a host computer system (See Houvener 1 Column lines 15-25 and Column 5 lines 37-41); receiving a request at the host computer system from a computer of the consumer to display the image of the receipt (See Houvener Column 10 lines 48-52, the user is interpreted to include the consumer); and transmitting an electronic file comprising the image of the receipt for display at the consumer computer (See Houvener Column 10 lines 58-62, the display device is interpreted to include display at the consumer computer). The host system, interface, a user computer and means for performing the steps of the method are inherent in the disclosure of Houvener.

Houvener fails to teach the step wherein the electronic file further comprises programming that causes at least one purchase item included on the receipt to appear as a selectable link to obtain more detailed information about item.

Schultz teaches the step wherein the electronic file further comprises programming that causes at least one purchase item included on the receipt to appear as a selectable link to obtain more detailed information about item (See Schultz Figures 1 and 9 and Paragraphs 28, 29, 35, 52-59).

Both Houvener and Schultz are concerned with the problem of providing a user with user-friendly means for storing and retrieving receipts. It would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Houvener to include teachings of Schultz. The combination of the teaching taken as a whole suggests that users would have benefited from being able to obtain more transactional information about the products/services they purchased in a timely manner without having to save their paper receipts.

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With reference to claims 2 and 12, Houvener teaches the step wherein the receipt comprises a credit card receipt (See Houvener Column 2 lines 16-25).

With reference to claim 3, Houvener teaches the step wherein the receipt comprises an image of the consumer's signature (See Houvener Column 1 lines 15-25).

With reference to claim 4, Houvener teaches the step wherein the receipt is printed on paper at a point of sale and electronically capturing comprises scanning an image of the receipt to an electronic file (See Houvener Column 2 lines 23-27 and Column 1 lines 19-25).

With reference to claims 5 and 13, Houvener teaches the step wherein electronically capturing comprises receiving a file from a point-of-sale device, wherein the file comprises an image of the consumer's signature (See Houvener Column 3 lines 24-48).

With reference to claim 7, Schultz teaches the steps of receiving a selection of the purchase item from the consumer; consulting a database for information about the item; and transmitting a file comprising the information to the consumer (See Schultz Figures 1 and 9 and Paragraphs 28, 29, 35, 52-59, 67).

With reference to claims 8 and 9, Schultz teaches the steps of receiving a request at the host computer from the consumer computer to display a categorical listing of items purchased by the consumer, wherein the items are comprised by a plurality of receipts; for each of the plurality of receipts, consulting a database for information relating to each item of the receipt; using the information to sort the items into categories; and transmitting a second electronic file from the host computer system to the consumer computer, wherein the file comprises a listing of the items sorted into at least one

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category for display at the consumer computer and wherein the second electronic file comprises programming that causes at least one item to appear as a selectable link to more detailed information about the item (See Schultz Figures 1 and 11 and Paragraphs 28, 29, 35, 37, 40, 52-59, 66, 67). Figure 11 shows a second file sorted by purchase date.

With reference to claim 10, Schultz teaches the step of receiving information from the consumer computer that defines the at least one category (See Schultz Paragraphs 37, 40, 58, 67).

With reference to claim 14, Houvener teaches the step wherein the image capture device is further configured to convert image information captured from a receipt into data (See Houvener Column 1 lines 15-25 and Column 3 lines 24-36), whereby the data may appear in an electronic image of the receipt as a selectable link relating to the data (See Schultz Figures 1 and 9 and Paragraphs 28, 29, 35, 52-59).

With reference to claim 15, Houvener teaches the step wherein the interface is configured to provide communication between the host computer system and at least one point-of-sale device (See Houvener Column 5 lines 42-45).

With reference to claim 17, Schultz teaches the step wherein the identifier is selected from the group consisting of UPC and SKU (See Schultz Paragraph 67).

With reference to claim 20, Schultz teaches means for categorizing a plurality of items on a receipt according to the product information (See Schultz Paragraphs 37, 40, 58, 67).

With reference to claim 21, Houvener and Schultz combined teach a method of presenting receipt information to a consumer, comprising: receiving a request at the host

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computer from a computer of the consumer to display a categorical listing of items purchased by the consumer, wherein the items are comprised by a plurality of receipts; for each of the plurality of receipts, consulting a database for information relating to each item of the receipt; using the information to sort the items into categories; and transmitting an electronic file from the host computer system to the consumer computer, the electronic file comprising a list of the items sorted into at least one category for display at the consumer computer (See discussion of claims 1 and 8 above).

With reference to claim 22, Schultz teaches the step further comprising receiving information from the consumer computer that defines the at least one category (See discussion of claim 10 above).

With reference to claim 23, Schultz teaches the step wherein the electronic file comprises programming that causes at least one item to appear as a selectable link to more detailed information about the item (See discussion of claim 9 above).

Response to Arguments

6. Applicant's arguments with respect to claims 1-5, 7-15, 17, 18 and 20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (571) 272-6751. The examiner can normally be reached Monday-Thursday from 8:30 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached at (571) 272-6747. The fax number for Formal or Official faxes and Draft to the Patent Office is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

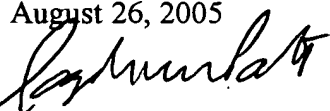
N. Subramanian

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August 26, 2005

A handwritten signature in black ink, appearing to read 'Jagdish N. Patel', written over a horizontal line.

Jagdish N. Patel
Primary Examiner